IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

WP(C).No. 7580 of 2007(B)

PETITIONER:

MOHAMMED NISHAD, S/O.RAYIN (LATE),
THOTTIYAN HOUSE, CHARAMKULAM,
CHANDAKKUNN, NILAMBUR, MALAPPURAM DISTRICT.

BY ADV. SRI.P.SAMSUDIN

RESPONDENTS:

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1. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY, TALUK OFFICE,
NILAMBUR.

2. THE DISTRICT COLLECTOR,
MALAPPURAM.

3. THE BRANCH MANAGER,
INDIAN BANK, NILAMBUR.

BY ADV. SHRI.BASANT BALAJI, GOVERNMENT PLEADER
ADV. SRI.S.EASWARAN FOR R3.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 7580/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF DEMAND NOTICE DATED 29/11/06 ISSUED TO THE PETITIONER BY 1ST RESPONDENT UNDER SEC. 34.

P2 : COPY OF DEMAND NOTICE DATED NIL ISSUED TOT HE PETITIONER BY 1ST RESPONDENT UNDER SEC. 7.

P3 : COPY OF THE OBJECTION FILED BY THE PETIITONER BEFORE THE 2ND RESPONDENT DATED 10/12/2006.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 7580 of 2007

Dated, this the 22nd day of June, 2007

J U D G M E N T

Since petitioner has undertaken to clear the balance arrears in installments and since loan is given under self employment scheme, there will be a direction to the 3rd respondent to waive complete penal interest if petitioner clears the arrears in 15 equal monthly installments, first of which will be paid on or before 25/08/2007 and balance on or before 25th day of 14 succeeding months. If petitioner commits default in making payment of any of the above installments, installment facility and waiver of interest granted will stand automatically vacated on first default. There will be a direction to the petitioner to make payments to the 3rd respondent for the credit in petitioner's loan account. Petitioner will produce copy of judgment before respondents 1 and 3.

2. Revenue recovery proceedings will be kept in abeyance for payment as above and if any default is committed, recovery will revive and on instructions from 3rd respondent after default, full amount will be recovered from the petitioner.

This WP(C) is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg